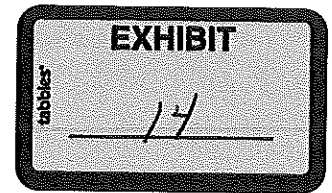
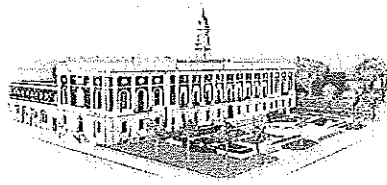


THE CITY OF WATERBURY



Bureau of Water

21 East Aurora Street Waterbury, Connecticut 06708

Denise Ruzicka, Director
CT Department of Environmental Protection
Inland Water Resources Division
79 Elm Street
Hartford, CT 06106-5127

December 30, 2009

Re: Streamflow Regulations Exemption

Dear Ms. Ruzika,

As you know the City of Waterbury was involved with the Connecticut DEP in negotiating the Shepaug Lawsuit Settlement Agreement and Stipulated Judgment. The proposed streamflow regulations specifically exempt "a flow management plan contained in a resolution, agreement or stipulated judgment to which the state, acting through the commissioner, is a party and effective as of October 1, 2005" in Sec. 26-141b-3 (c) (15). Since Waterbury's flow management plan encompasses the Waterbury Bureau of Water's entire reservoir system, it is my understanding and Chris Rooney's understanding that both the Shepaug and Wigwam systems are exempt from the streamflow regulations.

Please have the commissioner confirm in writing that this is also DEP's understanding. Should you have any questions or need further information, please call me at 203-574-8250.

Sincerely,

Kenneth R. Skov
Superintendent of Water

RECEIVED
JAN 05 2010
INLAND WATER RESOURCES DIVISION

cc Christopher Rooney, Carmody & Torrance

Spoke to Ken 1/14/10 - told him would address inclusion record and address in hearing report.
BRW